

**UNITED STATES BANKRUPTCY COURT
FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In the Matter of:

DAVID LAURENCE LONG

Debtor

Chapter 13

Case No. 25-10298-BFK

AMENDED OBJECTION TO CONFIRMATION OF PLAN,

Thomas P. Gorman, Chapter 13 Trustee, has filed this amended¹ objection to confirmation of your Chapter 13 Plan filed March 20, 2025. The cause for this objection is as follows:

Violation of 11 U.S.C. §1325(a)(3) – Good Faith-

1. As is set forth in Trustee's Motion to Dismiss (Dkt. #23) Debtor's prior case history coupled with his unfavorable financial situation at the time of this latest filing, suggest that the case and therefore this Plan, were not filed in good faith.

Violation of 11 U.S.C. §1325(a)(6) – Feasibility-

1. Debtor's monthly disposable income does not support the proposed Plan payments. Schedules I/J show Debtor's expenses exceed his income by %5,836.97/month.
2. Secured creditor NewRez LLC d/b/a Shellpoint Mortgage Servicing has filed a claim (Claim #8) that asserts a pre-petition arrearage of \$38,913.29. The Plan only provides for a \$30,000 pre-petition arrearage.
3. Secured creditor Brambleton Community Association filed a claim (Claim #10) that asserts a pre-petition arrearage of \$6,083.70. This is not provided for in the Plan.
4. 100% Plan appears to be underfunded as follows:

FEASIBILITY:	Net Monthly Income	
	Of debtor	<u>700.66</u>
	Of debtor spouse	<u> </u>
	Other	<u> </u>
	Total Monthly Income	<u>700.66</u>
	Less Monthly Operating Expenses	<u>6,537.63</u>
	Available for Plan Payment	<u>-5,836.97</u>

¹ This objection to Confirmation is being amended to: reflect that NewRez has filed a Proof of Claim, add #3, and update the numbers of the Plan Performance to reflect filed Claims.

Notice of Objection To Confirmation

David Laurence Long, Case # 25-10298-BFK

PERFORMANCE	Amount of Plan Payment	200.00	100x2
		106,720.00	1,840x58
	Total Number of Months	60	
	Total Receipts		106,920.00
	Disbursements Required		
	Trustee	12,258.58	10.00%
	Attorney	6,750.00	
	Taxes/DSO	46,388.38	
	Secured	47,968.43	
	Unsecured	21,478.95	
	Other		
	Total Disbursements		134,844.34

Date: April 30, 2025

/s/ Thomas P. Gorman
Thomas P. Gorman
Chapter 13 Trustee
1414 Prince Street, Suite 202
Alexandria, VA 22314
(703) 836-2226
VSB 26421

CERTIFICATE OF SERVICE

I hereby certify that I have this 30th day of April, 2025, served via ECF authorized users or mailed a true copy of the foregoing Amended Objection to Confirmation, to the following parties.

David Laurence Long
Chapter 13 Debtor
42666 Frontier Dr
Ashburn, VA 20148

Daniel M. Press, Esquire
Attorney for Debtor
Chung & Press, P.C.
6718 Whittier Ave. Ste. 200
McLean, VA 22101

/s/ Thomas P. Gorman
Thomas P. Gorman